

# Exhibit 9

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

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Anas ELHADY, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	<b>Case No. 1:16-cv-375 (AJT/JFA)</b>
	)	
Charles H. Kable, et al.,	)	
	)	
Defendants.	)	
	)	

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**SUPPLEMENTAL RESPONSES TO THE REVISED RESPONSES TO THE FIRST SET  
OF REQUESTS FOR ADMISSIONS TO OFFICIAL CAPACITY TSC DEFENDANTS**

***RFA 5: Admit that you oversee or permit the dissemination of information in the Terrorism Screening Database either directly or indirectly to foreign governments.***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that certain subsets of the TSDB may be shared with certain foreign government authorities under certain circumstances. Otherwise, TSC Defendants stand on their objections to this request and decline to admit or deny.

***RFA 6: Admit that you permit the dissemination of information in the Terrorism Screening Database either directly or indirectly to the European Union.***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that certain subsets of the TSDB may be shared with certain governmental authorities within the European Union under certain circumstances. Otherwise, TSC Defendants stand on their objections to this request and decline to admit or deny.

***RFA 7: Admit that you oversee or permit the dissemination of information in the Terrorism Screening Database either directly or indirectly to corporations, private entities and/or individuals.***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that certain information from the TSDB is, in certain circumstances, exported to certain other federal agency databases. Deny that TSC controls further dissemination of such information following instances of such export. Further and otherwise, TSC Defendants stand on their objections to this request and decline to admit or deny.

***RFA 12: Admit that you accepted the nomination of individuals to the Terrorism Screening Database that have not been charged or convicted with a terrorism-related offense.***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the reasonable suspicion standard does not require a charge or conviction for a terrorism-related offense. Otherwise, TSC Defendants stand on their objections to this request and decline to admit or deny.

***RFA 13: Admit that you accepted the nomination of individuals to the Terrorism Screening Database that are not the subject of a formal ongoing federal investigation pertaining to a terrorism-related offense.***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the reasonable suspicion standard does not require a charge or conviction for a terrorism-related offense. Otherwise, TSC Defendants stand on their objections to this request and decline to admit or deny.

**RFA 14 - *Admit that the United States disseminates or makes available in any manner the TSDB and/or its contents to foreign countries knowing that foreign countries may restrict the ability of TSDB listees to enter foreign countries that receive the TSDB.***<sup>1</sup>

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that certain subsets of the TSDB may be shared with certain foreign government authorities under certain circumstances. Otherwise, TSC Defendants stand on their objections to this request and decline to admit or deny.

**RFA 15 - *Admit that the United States knows that foreign governments have utilized the TSDB to make decisions regarding whether to allow entry to listees and/or to grant listees visas.***<sup>2</sup>

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that certain subsets of the TSDB may be shared with certain foreign government authorities under certain circumstances. Otherwise, TSC Defendants stand on their objections to this request and decline to admit or deny.

**RFA 17 – Admit that the TSDB is reviewed prior to issuing and/or renewing a Hazmat License.**

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

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<sup>1</sup> This RFA is RFA 14 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 13 with respect to the TSC Director.

<sup>2</sup> This RFA is RFA 15 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 14 with respect to the TSC Director.

Admit to the extent that certain information in the TSDB may be shared with the Transportation Security Administration (“TSA”) for TSA’s use in making threat assessments within the context of TSA’s responsibility to process and/or renew applications for Hazmat Licenses. Deny that TSC controls TSA’s use of such information after it is shared for these purposes. Further and otherwise, TSC Defendants stand on their objections to this request and decline to admit or deny.

***RFA 18b – Admit that you oversee or permit the dissemination of information in the [TSDB] either directly or indirectly to municipal courts for use in the determination of bail.***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants’ Revised Responses to Plaintiffs’ First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties’ meet and confer on December 29, 2017 as follows:

Admit to the extent that certain information from the TSDB is, in certain circumstances, exported to certain other federal agency databases. Deny that TSC controls further dissemination of such information following instances of such export. Further and otherwise, TSC Defendants stand on their objections to this request and decline to admit or deny.

***RFA 22: Admit that you have the authority to continue to include an individual on the watch list even if that individual is an American citizen who has been acquitted of terrorism charges or terrorism charges are otherwise dismissed.***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants’ Revised Responses to Plaintiffs’ First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties’ meet and confer on December 29, 2017 as follows:

Admit to the extent that the reasonable suspicion standard does not require a charge or conviction for a terrorism-related offense. Otherwise, TSC Defendants stand on their objections to this request and decline to admit or deny.

**RFAs Related to Plaintiff Anas Elhady**

***RFA 27 – Admit that you never provided Plaintiff Anas Elhady with notice of the factual basis for his placement on the federal watchlist.<sup>3</sup>***

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<sup>3</sup> This RFA is RFA 27 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 26 with respect to the TSC Director

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (*see* Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections—including but not limited to that both past and current watchlist status is subject to the privileges identified above—to this request, as well as the Court's entry of a protective order as to "information underlying watchlisting determinations," Dkt. No. 61, and decline to admit or deny.

**RFA 28 – *Admit that you never provided Plaintiff Anas Elhady notice of his placement on the federal watchlist.***<sup>4</sup>

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (*see* Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

**RFAs With Respect to Plaintiff Osama Hussein Ahmed**

**RFA 30 -- *Admit that you never provided Plaintiff Osama Hussein Ahmed with notice of the factual basis for his placement on the federal watchlist.***<sup>5</sup>

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (*see* Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—

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<sup>4</sup> This RFA is RFA 28 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 27 with respect to the TSC Director.

<sup>5</sup> This RFA is RFA 30 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 29 with respect to the TSC Director.

including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

**RFA 31 – *Admit that you never provided Plaintiff Osama Hussein Ahmed with notice of his placement on the federal watchlist.***<sup>6</sup>

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (*see* Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

**RFAs With Respect to Plaintiff Ahmad Ibrahim Al Halabi**

**RFA 33 – *Admit that you never provided Plaintiff Ahmad Ibrahim Al Halabi with notice of the factual basis for his placement on the federal watchlist.***<sup>7</sup>

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (*see* Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

**RFA 34 – *Admit that you never provided Plaintiff Ahmad Ibrahim Al Halabi with notice of his placement on the federal watchlist.***<sup>8</sup>

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (*see* Defendants' Revised Responses to Plaintiffs' First Set of

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<sup>6</sup> This RFA is RFA 31 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 30 with respect to the TSC Director.

<sup>7</sup> This RFA is RFA 33 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 32 with respect to the TSC Director.

<sup>8</sup> This RFA is RFA 34 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 33 with respect to the TSC Director.

Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

**RFAs With Respect to Plaintiff Michael Edmund Coleman**

***RFA 36 -- Admit that you never provided Plaintiff Michael Edmund Coleman with notice of the factual basis for his placement on the federal watchlist.<sup>9</sup>***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

***RFA 37 – Admit that you never provided Plaintiff Michael Edmund Coleman with notice of his placement on the federal watchlist.<sup>10</sup>***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

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<sup>9</sup> This RFA is RFA 36 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 35 with respect to the TSC Director.

<sup>10</sup> This RFA is RFA 37 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 36 with respect to the TSC Director.

### **RFAs With Respect to Plaintiff Wael Hakmeh**

***RFA 39 -- Admit that you never provided Plaintiff Wael Hakmeh with notice of the factual basis for his placement on the federal watchlist.<sup>11</sup>***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

***RFA 40 – Admit that you never provided Plaintiff Wael Hakmeh with notice of his placement on the federal watchlist.<sup>12</sup>***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

### **RFAs With Respect to Plaintiff Murat Frljuckic**

***RFA 42- Admit that you never provided Plaintiff Murat Frljuckic with notice of the factual basis for his placement on the federal watchlist.<sup>13</sup>***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of

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<sup>11</sup> This RFA is RFA 39 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 38 with respect to the TSC Director.

<sup>12</sup> This RFA is RFA 40 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 39 with respect to the TSC Director.

<sup>13</sup> This RFA is RFA 42 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 41 with respect to the TSC Director.

Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

***RFA 43 – Admit that you never provided Plaintiff Murat Frljuckic with notice of his placement on the federal watchlist.<sup>14</sup>***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

**RFAs With Respect to Plaintiff Adnan Khalil Shaout**

***RFA 45 – Admit that you never provided Plaintiff Adnan Khalil Shaout with notice of the factual basis for his placement on the federal watchlist.<sup>15</sup>***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

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<sup>14</sup> This RFA is RFA 43 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 42 with respect to the TSC Director.

<sup>15</sup> This RFA is RFA 45 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 44 with respect to the TSC Director.

**RFA 46 – Admit that you never provided Plaintiff Adnan Khalil Shaout with notice of his placement on the federal watchlist.<sup>16</sup>**

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

**RFAs With Respect to Plaintiff Saleem Ali**

**RFA 48 – Admit that you never provided Plaintiff Saleem Ali with notice of the factual basis for his placement on the federal watchlist.<sup>17</sup>**

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

**RFA 49 – Admit that you never provided Plaintiff Saleem Ali with notice of his placement on the federal watchlist.<sup>18</sup>**

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

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<sup>16</sup> This RFA is RFA 46 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 45 with respect to the TSC Director.

<sup>17</sup> This RFA is RFA 48 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 47 with respect to the TSC Director.

<sup>18</sup> This RFA is RFA 49 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 48 with respect to the TSC Director.

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

**RFAs With Respect to Plaintiff Shahir Anwar**

***RFA 51 – Admit that you never provided Plaintiff Shahir Anwar with notice of the factual basis for his placement on the federal watchlist.<sup>19</sup>***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

***RFA 52 – Admit that you never provided Plaintiff Shahir Anwar with notice of his placement on the federal watchlist.<sup>20</sup>***

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

**RFAs With Respect to Plaintiff Samir Anwar**

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<sup>19</sup> This RFA is RFA 51 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 50 with respect to the TSC Director.

<sup>20</sup> This RFA is RFA 52 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 51 with respect to the TSC Director.

**RFA 54 – Admit that you never provided Plaintiff Samir Anwar with notice of the factual basis for his placement on the federal watchlist.<sup>21</sup>**

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

**RFA 55 – Admit that you never provided Plaintiff Samir Anwar with notice of his placement on the federal watchlist.<sup>22</sup>**

**Supplemental Response:** Subject to and without waiving any of the objections Defendants have interposed to this request (see Defendants' Revised Responses to Plaintiffs' First Set of Requests for Admission to Official Capacity TSC Defendants, served December 22, 2017), TSC supplements its prior response to this RFA as a result of the parties' meet and confer on December 29, 2017 as follows:

Admit to the extent that the TSC does not issue any notices or other communications, including regarding watchlist status if any and/or the factual basis therefore, to travelers regarding TSDB status. Otherwise, TSC Defendants stand on their remaining objections to this request—including but not limited to that both past and current watchlist status is subject to the privileges identified above—and decline to admit or deny.

Dated: January 4, 2018

Respectfully submitted,

DANA J. BOENTE  
United States Attorney

CHAD READLER  
Acting Assistant Attorney General, Civil  
Division

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<sup>21</sup> This RFA is RFA 54 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 53 with respect to the TSC Director.

<sup>22</sup> This RFA is RFA 55 with respect to the Principal Deputy Director and the Deputy Director for Operations; it is RFA 54 with respect to the TSC Director.

ANTHONY J. COPPOLINO  
Deputy Director, Federal Programs Branch

\_\_\_\_\_  
/s/  
ANTONIA KONKOLY  
Trial Attorney, Federal Programs Branch  
Civil Division, Department of Justice  
20 Massachusetts Avenue NW  
Washington, DC 20530  
Phone: 202-514-2395  
Email: [antonia.konkoly@usdoj.gov](mailto:antonia.konkoly@usdoj.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was sent via electronic mail to Counsel of Record in this case.

\_\_\_\_\_/s/\_\_\_\_\_

ANTONIA KONKOLY  
Trial Attorney, Federal Programs Branch  
Civil Division, Department of Justice  
20 Massachusetts Avenue NW  
Washington, DC 20530  
Phone: 202-514-2395  
Email: [antonia.konkoly@usdoj.gov](mailto:antonia.konkoly@usdoj.gov)

January 4, 2018